

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. THOMAS] that the House suspend the rules and pass the bill, H.R. 4011, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 391, nays 32, answered “present” 1, not voting 9, as follows:

[Roll No. 443]

YEAS—391

Abercrombie	de la Garza	Hilleary
Ackerman	Deal	Hinchey
Allard	DeFazio	Hobson
Andrews	DeLauro	Hoekstra
Archer	DeLay	Hoke
Armey	Deutsch	Holden
Bachus	Diaz-Balart	Horn
Baesler	Dickey	Hostettler
Baker (CA)	Dingell	Houghton
Baker (LA)	Dixon	Hoyer
Baldacci	Doggett	Hunter
Ballenger	Dooley	Hutchinson
Barcia	Doolittle	Hyde
Barr	Dornan	Inglis
Barrett (NE)	Doyle	Istook
Barrett (WI)	Dreier	Jackson-Lee
Bartlett	Duncan	(TX)
Bass	Dunn	Jefferson
Bateman	Durbin	Johnson (CT)
Becerra	Edwards	Johnson (SD)
Bentsen	Ehlers	Johnson, E. B.
Bereuter	Ehrlich	Johnson, Sam
Berman	Engel	Johnston
Bevill	English	Jones
Bilbray	Ensign	Kaptur
Bilirakis	Eshoo	Kasich
Bishop	Evans	Kelly
Bliley	Everett	Kennedy (MA)
Blumenauer	Ewing	Kennedy (RI)
Blute	Farr	Kennelly
Boehlert	Fawell	Kildee
Boehner	Fazio	Kim
Bonilla	Fields (LA)	King
Bonior	Fields (TX)	Kingston
Bono	Filner	Klecza
Brewster	Flanagan	Klug
Browder	Foley	Knollenberg
Brown (CA)	Forbes	Kolbe
Brown (FL)	Fowler	LaFalce
Brown (OH)	Fox	LaHood
Brownback	Frank (MA)	Lantos
Bryant (TN)	Franks (CT)	Largent
Bryant (TX)	Franks (NJ)	Latham
Bunn	Frelinghuysen	LaTourette
Bunning	Frist	Laughlin
Burr	Frost	Lazio
Burton	Funderburk	Leach
Buyer	Furse	Levin
Callahan	Galleghy	Lewis (CA)
Calvert	Ganske	Lewis (GA)
Camp	Gejdenson	Lewis (KY)
Campbell	Gekas	Lightfoot
Canady	Gephardt	Lincoln
Cardin	Geren	Linder
Castle	Gilchrest	Lipinski
Chabot	Gillmor	Livingston
Chambliss	Gilman	LoBiondo
Chapman	Gonzalez	Lofgren
Chenoweth	Goodlatte	Longley
Christensen	Goodling	Lowe
Chrysler	Gordon	Lucas
Clayton	Goss	Luther
Clement	Graham	Maloney
Coble	Green (TX)	Manton
Coburn	Greene (UT)	Manzullo
Coleman	Greenwood	Markey
Collins (GA)	Gunderson	Martinez
Combest	Gutierrez	Martini
Condit	Gutknecht	Mascara
Cooley	Hall (OH)	Matsui
Costello	Hall (TX)	McCarthy
Coyne	Hamilton	McCollum
Cramer	Hancock	McCrery
Crane	Hansen	McDade
Crapo	Harman	McHale
Creameans	Hastert	McHugh
Cubin	Hastings (WA)	McInnis
Cummings	Hayworth	McIntosh
Cunningham	Hefley	McKeon
Danner	Hefner	McKinney
Davis	Herger	McNulty

Meehan	Pryce
Menendez	Quillen
Metcalf	Quinn
Meyers	Radanovich
Mica	Rahall
Millender-McDonald	Ramstad
Miller (CA)	Rangel
Miller (FL)	Reed
Minge	Regula
Mink	Richardson
Moakley	Riggs
Molinari	Rivers
Mollohan	Roberts
Montgomery	Roemer
Moorhead	Rogers
Moran	Rohrabacher
Morella	Ros-Lehtinen
Myers	Rose
Myrick	Roukema
Nadler	Roybal-Allard
Neal	Royce
Nethercutt	Sabo
Neumann	Salmon
Ney	Sanders
Norwood	Sanford
Nussle	Sawyer
Oberstar	Saxton
Obey	Scarborough
Olver	Schaefer
Ortiz	Schiff
Orton	Schroeder
Owens	Schumer
Packard	Scott
Pallone	Seastrand
Parker	Sensenbrenner
Pastor	Serrano
Paxon	Shadegg
Payne (NJ)	Shaw
Payne (VA)	Shays
Pelosi	Shuster
Peterson (MN)	Sisisky
Petri	Skaggs
Pickett	Skeen
Pombo	Skelton
Pomeroy	Slaughter
Porter	Smith (MI)
Portman	Smith (NJ)
Poshard	Smith (TX)
	Smith (WA)
	Souder

NAYS—32

Barton	Flake	Murtha
Beilenson	Foglietta	Rush
Borski	Gibbons	Stark
Clay	Hastings (FL)	Stokes
Clyburn	Hilliard	Thompson
Collins (IL)	Jackson (IL)	Towns
Collins (MI)	Jacobs	Waters
Conyers	Kanjorski	Williams
Dellums	Klink	Wilson
Dicks	McDermott	Young (AK)
Fattah	Meek	

ANSWERED “PRESENT”—1

Ford

NOT VOTING—9

Boucher	Hayes	Roth
Clinger	Heineman	Solomon
Cox	Peterson (FL)	Zimmer

□ 1907

Mr. BEILENSEN changed his vote from “yea” to “nay.”

Mr. FIELDS of Louisiana changed his vote from “nay” to “yea.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

OMNIBUS CIVIL SERVICE REFORM ACT OF 1996

The SPEAKER pro tempore (Mr. FOLEY). The pending business is the question of suspending the rules and passing the bill, H.R. 3841, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. MICA] that the House suspend the rules and pass the bill, H.R. 3841, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 224, nays 201, not voting 8, as follows:

[Roll No. 444]

YEAS—224

Allard	Ganske	Ney
Archer	Gekas	Norwood
Armey	Geren	Nussle
Bachus	Gilchrest	Orton
Baker (CA)	Gillmor	Oxley
Baker (LA)	Goodlatte	Packard
Ballenger	Goodling	Parker
Barr	Goss	Paxon
Barrett (NE)	Graham	Payne (VA)
Bartlett	Greene (UT)	Petri
Barton	Greenwood	Pombo
Bass	Gunderson	Porter
Bateman	Gutknecht	Portman
Beilenson	Hall (TX)	Pryce
Bereuter	Hamilton	Radanovich
Bilbray	Hancock	Ramstad
Bliley	Harman	Regula
Blumenauer	Hastert	Riggs
Boehner	Hastings (WA)	Roberts
Bonilla	Hayworth	Roemer
Bono	Hefley	Rogers
Brewster	Herger	Rohrabacher
Brownback	Hilleary	Rose
Bunn	Hobson	Roth
Bunning	Hoekstra	Roukema
Burr	Hoke	Royce
Burton	Horn	Sabo
Buyer	Hostettler	Salmon
Callahan	Houghton	Sanford
Calvert	Hutchinson	Saxton
Camp	Hyde	Scarborough
Campbell	Inglis	Schaefer
Canady	Istook	Schiff
Castle	Johnson (CT)	Seastrand
Chabot	Johnson, Sam	Sensenbrenner
Chambliss	Jones	Shadegg
Christensen	Kasich	Shaw
Chrysler	Kelly	Shays
Coble	Kim	Shuster
Coburn	Kingston	Sisisky
Collins (GA)	Klug	Skeen
Combest	Knollenberg	Smith (MI)
Condit	Kolbe	Smith (TX)
Cox	LaHood	Smith (WA)
Crane	Largent	Solomon
Crapo	Latham	Souder
Creameans	LaTourette	Spence
Cubin	Laughlin	Spratt
Cunningham	Leach	Stearns
Davis	Lewis (CA)	Stenholm
Deal	Lewis (KY)	Stockman
DeFazio	Lightfoot	Stump
DeLay	Lincoln	Talent
Dickey	Linder	Tate
Dooley	Livingston	Tauzin
Doolittle	Lucas	Taylor (MS)
Dornan	Luther	Taylor (NC)
Dreier	Manzullo	Thomas
Duncan	McCollum	Thornberry
Dunn	McCrery	Tiahrt
Ehlers	McInnis	Upton
Ehrlich	McIntosh	Vucanovich
Ensign	McKeon	Walker
Everett	Metcalf	Walsh
Ewing	Meyers	Wamp
Fawell	Mica	Watts (OK)
Fields (TX)	Miller (FL)	Weldon (FL)
Flanagan	Montgomery	Weller
Foley	Moorhead	White
Fowler	Moran	Whitfield
Franks (CT)	Morella	Wicker
Franks (NJ)	Myers	Wolf
Frelinghuysen	Myrick	Young (AK)
Funderburk	Nethercutt	Zeliff
Galleghy	Neumann	

NAYS—201

Abercrombie	Becerra	Boehlert
Ackerman	Bentsen	Bonior
Andrews	Berman	Borski
Baesler	Bevill	Browder
Baldacci	Bilirakis	Brown (CA)
Barcia	Bishop	Brown (FL)
Barrett (WI)	Blute	Brown (OH)

Bryant (TN)	Hilliard	Oliver
Bryant (TX)	Hinchey	Ortiz
Cardin	Holden	Owens
Chapman	Hoyer	Pallone
Chenoweth	Jackson (IL)	Pastor
Clay	Jackson-Lee	Payne (NJ)
Clayton	(TX)	Pelosi
Clement	Jacobs	Peterson (MN)
Clyburn	Jefferson	Pickett
Coleman	Johnson (SD)	Pomeroy
Collins (IL)	Johnson, E. B.	Poshard
Collins (MI)	Johnston	Quinn
Conyers	Kanjorski	Rahall
Cooley	Kaptur	Rangel
Costello	Kennedy (MA)	Reed
Coyne	Kennedy (RI)	Richardson
Cramer	Kennelly	Rivers
Cummings	Kildee	Ros-Lehtinen
Danner	King	Roybal-Allard
de la Garza	Klecicka	Rush
DeLauro	Klink	Sanders
Dellums	LaFalce	Sawyer
Deutsch	Lantos	Schroeder
Diaz-Balart	Lazio	Schumer
Dicks	Levin	Scott
Dingell	Lewis (GA)	Serrano
Dixon	Lipinski	Skaggs
Doggett	LoBiondo	Skelton
Doyle	Lofgren	Slaughter
Durbin	Longley	Smith (NJ)
Edwards	Lowey	Stark
Engel	Maloney	Stokes
English	Manton	Studds
Eshoo	Markey	Stupak
Evans	Martinez	Tanner
Farr	Martini	Tejeda
Fattah	Mascara	Thompson
Fazio	Matsui	Thornton
Fields (LA)	McCarthy	Thurman
Filner	McDade	Torkildsen
Flake	McDermott	Torres
Foglietta	McHale	Torricelli
Forbes	McHugh	Towns
Ford	McKinney	Traficant
Fox	McNulty	Velazquez
Frank (MA)	Meehan	Vento
Frisa	Meek	Visclosky
Frost	Menendez	Volkmer
Furse	Millender	Ward
Gejdenson	McDonald	Waters
Gephardt	Miller (CA)	Watt (NC)
Gibbons	Minge	Waxman
Gilman	Mink	Weldon (PA)
Gonzalez	Moakley	Williams
Gordon	Molinari	Wilson
Green (TX)	Mollohan	Wise
Gutierrez	Murtha	Woolsey
Hall (OH)	Nadler	Wynn
Hansen	Neal	Yates
Hastings (FL)	Oberstar	Young (FL)
Hefner	Obey	

NOT VOTING—8

Boucher	Heineman	Quillen
Clinger	Hunter	Zimmer
Hayes	Peterson (FL)	

□ 1919

Messrs. REED, POMEROY, LONGLEY, Mrs. CHENOWETH, and Messrs. BOEHLERT, FOX of Pennsylvania, COOLEY, HANSEN, AND DOGGETT changed their vote from "yea" to "nay."

Mr. BASS and Mr. MCCOLLUM changed their vote from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISMISSING THE ELECTION
CONTEST AGAINST CHARLIE ROSE

Mr. THOMAS, from the Committee on House Oversight, submitted a privileged report (Rept. No. 104-852) on the resolution (H. Res. 538) dismissing the election contest against CHARLIE ROSE,

which was referred to the House Calendar and ordered to be printed.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent for immediate consideration of the resolution (House Resolution 538) dismissing the election contest against CHARLIE ROSE.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. FAZIO of California. Reserving the right to object, Mr. Speaker, and I obviously do not intend to object, but I would like my colleague, the gentleman from California, to explain the purpose of this resolution.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from California.

Mr. THOMAS. I thank the gentleman for yielding, Mr. Speaker.

As was announced, this was a resolution dismissing the election contest filed by Mr. Robert Anderson against the gentleman from North Carolina, Mr. CHARLIE ROSE, for the seat in the Seventh Congressional District in North Carolina.

As chairman of the Committee on House Oversight, I appointed a task force from the committee, comprised of the gentleman from Ohio, JOHN BOEHNER, as chairman, the gentleman from Louisiana, WILLIAM JEFFERSON, and the gentleman from Michigan, VERN EHLERS, to hear the matter.

The task force heard allegations of election irregularities and fraud but concluded that there were not sufficient credible allegations that, if proven, would change the outcome of the election.

The task force met on August 3, 1995, and voted unanimously to dismiss the contest. I believe the House clearly should so indicate to the gentleman from North Carolina [Mr. ROSE], since October 25, 1995, the full committee agreed unanimously to recommend dismissal.

I do want to thank the minority for lifting the hold on unanimous consents so we could present this resolution this evening.

Mr. FAZIO of California. Further reserving the right to object, Mr. Speaker, I simply want to join with the gentleman from California [Mr. THOMAS] in removing our colleague, the gentleman from North Carolina [Mr. ROSE], from his 2-year term in purgatory.

With that, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 538

Resolved, That the election contest of Robert Anderson, contestant, against Charlie Rose, contestee, relating to the office of Representative from the Seventh Congressional District of North Carolina, is dismissed.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

DISMISSING THE ELECTION
CONTEST AGAINST CHARLES BASS

Mr. THOMAS, from the Committee on House Oversight, submitted a privileged report (Rept. No. 104-853) on the resolution (H. Res. 539) dismissing the election contest against CHARLES F. BASS, which was referred to the House Calendar and ordered to be printed.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent for immediate consideration in the House of the resolution (H. Res. 539) dismissing the election contest against CHARLES F. BASS.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. FAZIO of California. Reserving the right to object, Mr. Speaker, I ask my friend, the gentleman from California, to kindly explain the purpose of this resolution.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from California.

Mr. THOMAS. I thank the gentleman for yielding to me, Mr. Speaker.

This is, as the last was, a contested election. A task force was appointed, as a matter of fact, the identical task force to the one that investigated the North Carolina allegations, the gentleman from Ohio, JOHN BOEHNER, as chairman, the gentleman from Louisiana, WILLIAM JEFFERSON, and the gentleman from Michigan, VERN EHLERS, as members. It was in the State of New Hampshire, in the Second District.

Mr. Haas's claim was based on the application of a New Hampshire statute which required that a candidate file an oath stating that they were not "a subversive person." This statute had not been applied to candidates in New Hampshire elections since 1966, when the State Attorney General notified the Secretary of State that the United States Supreme Court had ruled such oaths unconstitutional.

Therefore, on March 15, the task force voted unanimously to dismiss the contest, and on May 10 the full committee agreed unanimously to recommend dismissal.

Mr. FAZIO of California. Mr. Speaker, I concur in the chairman's description of this resolution.

Mr. Speaker, I withdraw my reservation of objection.